

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

IN RE:

DENNIS A. CHIPPS, SR. and
KAREN M. CHIPPS,

Debtors.

DENNIS A. CHIPPS, SR. and
KAREN M. CHIPPS,

Plaintiffs

v.

TOWN OF HOLLAND and
JEFFERY & JEFFERY, INC.,

Defendants.

**CHAPTER 13
CASE NO: 04-42170-HJB**

**ADVERSARY PROCEEDING
NO. 14-04091**

ASSENTED TO MOTION TO EXTEND DEADLINE TO ANSWER COMPLAINT

To the Honorable Henry J. Boroff, United States Bankruptcy Judge:

NOW COMES THE TOWN OF HOLLAND (the “Town”), defendant in the above-captioned Adversary Proceeding, through its undersigned counsel, **and with the assent of the Plaintiffs**, respectfully requests the entry of an Order extending the deadline to file a motion or answer to the Plaintiffs’ complaint for a period of fourteen (14) days. In support thereof, the Town respectfully represents as follows:

1. On October 7, 2014, Dennis A. Chipps, Sr. and Karen M. Chipps (the “Plaintiffs”), the debtors in the underlying Chapter 13 bankruptcy case, filed a complaint with this Court naming the Town and Jeffery & Jeffery, Inc. as defendants, instituting the above-captioned Adversary Proceeding.

2. Also on October 7, 2014, the Clerk of this Court issued a Summons requiring the Town to file a motion or answer to the Plaintiffs' complaint on or before November 6, 2014.
3. As a municipality, in order for the Town to formulate a litigation strategy and approve an answer and/or substantive motion in this matter, its Board of Selectmen must convene a meeting after due notice in accordance with Massachusetts law.
4. In order to allow the Board of Selectmen of the Town to meet at a time at which all Selectmen are available, after due notice, the Town respectfully requests the entry of an Order extending the deadline for the Town to answer or file a motion under Rule 12 of the Federal Rules of Civil Procedure for a period of fourteen (14) days to **November 19, 2014**.
5. As noted above, counsel to the Plaintiffs has assented to the relief requested herein.

WHEREFORE, the Town respectfully requests the entry of an Order extending the deadline to file a responsive pleading or motion under Rule 12 of the Federal Rules of Civil Procedure to **November 19, 2014**, and providing such other and further relief as the Court deems just and proper.

Respectfully submitted,
TOWN OF HOLLAND
By its Attorney,

/s/ Spencer A. Stone
Spencer A. Stone (BBO #674548)
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October 27, 2014

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CERTIFICATE OF SERVICE

I, Spencer A. Stone, of the law firm of Bacon Wilson, P.C., do hereby certify that on the 27th day of October, 2014, I filed the foregoing Motion with the United States Bankruptcy Court for the District of Massachusetts utilizing the Court's CM/ECF system. I further hereby certify that on the 27th day of October, 2014, I caused said Motion to be served upon the parties and in the manner listed below:

Service via CM/ECF Notice of Electronic Filing:

Walter Oney on behalf of Plaintiff Dennis A. Chipps, Sr.
Walter.Oney@oneylaw.com, walter.oney@gmail.com

Walter Oney on behalf of Plaintiff Karen M. Chipps
Walter.Oney@oneylaw.com, walter.oney@gmail.com

Service via First Class Mail, postage prepaid:

Jeffery & Jeffery, Inc.
137 Main St.
Ware, MA 01082

Jeffery & Jeffery, Inc.
c/o Kevin C. Maynard, Esq.
1500 Main Street, Suite 2700
P.O. Box 15507
Springfield, MA 01115-5507

/s/ Spencer A. Stone

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October 27, 2014